

USDC SDNY
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ELECTRONICALLY FILED
DOC#: _____
DATE FILED: 6/25/2020

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - x
UNITED STATES OF AMERICA, :
- v - :
: :
\$815,199.74 FORMERLY ON DEPOSIT : STIPULATION AND ORDER

IN ACCOUNTS 7296905115 AND
1620774362, EACH HELD AT WELLS : 20 Misc. 240
FARGO BANK, N.A.,

- - - - - x
: :
WATSON TITLE,
First Interested Party. :
- - - - - x

:
STEWART TITLE GUARANTY COMPANY,
Second Interested Party. :
- - - - - x

WHEREAS, on or about September 9, 2019, the Federal
Bureau of Investigation ("FBI"), seized approximately
\$815,199.74 (the "Seized Currency") from bank accounts ending in
number -5115 and -4362, each held at Wells Fargo, N.A (the
"Subject Accounts"), pursuant to a Seizure Warrant authorized by
the Honorable Sarah Netburn, United States Magistrate Judge for
the Southern District of New York;

WHEREAS, the Seized Currency is forfeitable to the
United States as property involved in money laundering and the

operation of an unlicensed money transmitting business, in violation of Title 18, United States Code, Sections 1956 and 1960, respectively;

WHEREAS, the Government has determined that as a result of the money laundering and unlicensed money transmittal offenses, Watson Title (the "First Interested Party") transferred at least \$66,003.79 to the Subject Accounts;

WHEREAS, the Government has accordingly determined that Watson Title is the innocent owner of \$66,003.79 of the Seized Currency;

WHEREAS, the Government has determined that as a result of the money laundering and unlicensed money transmittal offenses, Stewart Title Guaranty Company (the "Second Interested Party") transferred at least \$749,195.95 to the Subject Accounts;

WHEREAS, the Government has accordingly determined that Stewart Title Guaranty Company is the innocent owner of \$749,195.95 of the Seized Currency;

WHEREAS, Gaudy Hernandez ("Hernandez"), the owner of record of the Subject Accounts, disclaims any ownership interest in the Seized Currency and relinquishes all claim to the Seized Currency;

NOW, THEREFORE, IT IS HEREBY STIPULATED, AGREED AND ORDERED, by and between Geoffrey S. Berman, United States

Attorney for the Southern District of New York, by and through Assistant United States Attorney Andrew C. Adams, and the First Interested Party, Watson Title, by and through its attorney, Dennis Guidi, Esq.; the Second Interested Party, Stewart Title Guaranty Company, by and through its attorney, Betsy Ann Rosenbloom, Esq.; and Gaudy Hernandez, that:

1. Gaudy Hernandez the owner of record of the Subject Accounts, having disclaimed and/or relinquished any ownership interest in the Seized Currency, accordingly has no interest in the Seized Currency.

2. The Government shall transfer \$66,003.79, representing a portion of the Seized Currency, to Watson Title, the First Interested Party, to an account designated by and through its attorney, Dennis Guidi, Esq.

3. The Government shall transfer \$749,195.95, representing a portion of the Seized Currency, to Stewart Title Guaranty Company, the Second Interested Party, to an account designated by and through its attorney, Betsy Ann Rosenbloom, Esq.

4. Watson Title and Stewart Title Guaranty Company (together, the "Interested Parties") and Gaudy Hernandez are hereby barred from asserting, or assisting others in asserting, any claim, including third party claims and any claim for attorney's fees and costs, against the United States or any of

its agents and employees, including the Federal Bureau of Investigation ("FBI"), and this Office (the "USAO-SDNY"), as well as any and all employees, officers, and agents of the United States, FBI, and the USAO-SDNY in connection with, or arising out of, the United States' seizure, restraint, custody or control over the Seized Currency. The Interested Parties and Gaudy Hernandez agree to execute any documentation to implement the terms of this Stipulation and Order.

5. The Interested Parties and Gaudy Hernandez hereby agree to waive all rights to appeal or otherwise challenge or contest the validity of this Stipulation and Order.

6. Each party shall bear its own costs and fees, including attorney's fees.

7. The Court will have exclusive jurisdiction over the interpretation and enforcement of this Stipulation and Order.

8. This Stipulation and Order constitutes the complete agreement between the Government, the Interested Parties and Gaudy Hernandez (the "Parties") and may not be amended except by written consent of the Parties.

[CONTINUED ON NEXT PAGE]

9. The signature pages of this stipulation may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument.

Agreed and consented to:

GEOFFREY S. BERMAN
United States Attorney for the
Southern District of New York
Attorney for the United States

By:

ANDREW C. ADAMS
Assistant United States Attorney
One St. Andrews Plaza
New York, New York 10007
T: (212) 637-2340

June 24, 2020

DATE

WATSON TITLE, the First Interested Party

WATSON TITLE

DATE

By:

DENNIS GUIDI, ESQ.

DATE

STEWART GUARANTY TITLE COMPANY, the Second Interested Party

STEWART GUARANTY TITLE COMPANY

DATE

By:

BETSY ANN ROSENBLUM, ESQ.

DATE

[SIGNATURES CONTINUED ON NEXT PAGE]

GAUDY HERNANDEZ

Gaudy Hernandez
GAUDY HERNANDEZ

6/10/20
DATE

SO ORDERED:

UNITED STATES DISTRICT JUDGE, Part I

DATE

9. The signature pages of this stipulation may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument.

Agreed and consented to:

GEOFFREY S. BERMAN
United States Attorney for the
Southern District of New York
Attorney for the United States

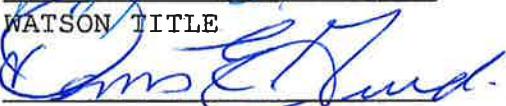
By: _____

ANDREW C. ADAMS
Assistant United States Attorney
One St. Andrew=s Plaza
New York, New York 10007
T: (212) 637-2340

_____ DATE

WATSON TITLE, the First Interested Party

By: _____


WATSON TITLE

DENNIS GUIDI, ESQ.

06/19/2020
DATE
6-22-20
DATE

STEWART GUARANTY TITLE COMPANY, the Second Interested Party

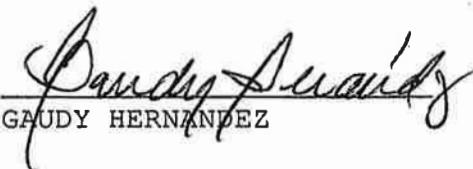
By: _____

STEWART GUARANTY TITLE COMPANY
BETSY ANN ROSENBLoom, ESQ.

_____ DATE
_____ DATE

[SIGNATURES CONTINUED ON NEXT PAGE]

GAUDY HERNANDEZ


GAUDY HERNANDEZ

6/10/20
DATE

SO ORDERED:

UNITED STATES DISTRICT JUDGE, Part I

DATE

9. The signature pages of this stipulation may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument.

Agreed and consented to:

GEOFFREY S. BERMAN
United States Attorney for the
Southern District of New York
Attorney for the United States

By:

ANDREW C. ADAMS
Assistant United States Attorney
One St. Andrew's Plaza
New York, New York 10007
T: (212) 637-2340

DATE

WATSON TITLE, the First Interested Party

WATSON TITLE

DATE

By:

DENNIS GUIDI, ESQ.

DATE

STEWART GUARANTY TITLE COMPANY, the Second Interested Party

STEWART GUARANTY TITLE COMPANY

Jessica Thurbee, Esq.

6/23/2020

DATE

By:

BETSY ANN ROSENBLUM, ESQ.

6/24/2020

DATE

[SIGNATURES CONTINUED ON NEXT PAGE]

SO ORDERED:
Andrew L. Carter
HON. ANDREW L. CARTER, JR.
UNITED STATES DISTRICT JUDGE

Dated: June 25, 2020